

REMARKS

Claim Rejections Under 35 USC § 103

In the Office Action, the Examiner rejected claims 37-45 under 35 U.S.C. 103(a) as being unpatentable over Jasinski et al (EP 0 733 963 hereinafter Jasinski) in view of Hoeksma (U.S. Patent No. 6,271,835). The Examiner indicated that “Jasinski differs from the claim in that the plurality of softkeys are not provided on the keypad.” However, the Examiner suggests that “Jasinski teaches each of the softkeys 37 including a corresponding touch key 41, actuating touch key 41 actuates the corresponding pseudo key 39 to select the alpha character displayed on the pseudo key.” The Examiner goes on to indicate that “Hoeksma teaches it is old and well known in the art that a data entry and display device having a plurality of softkeys having display thereon and provided on the keypad to be intuitive to a first time user since the input keys are re-labeled in manner which corresponds to the relative position within the selected input key (see the abstract). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the softkeys of Jasinski to be provided on keypad as taught by Hoeksma to provide a keypad that is intuitive to a first time user since the input keys are re-labeled in a manner which corresponds to their relative position within the selected input key.”

Applicants respectfully disagree with the Examiner’s characterization of the teachings of Hoeksma and Jasinski to one of ordinary skill in the art. Applicants assert that what is taught by Jasinski, is that a separate set of membrane keys (41) may be used to correspond to changing letters in corresponding boxes (37) on a display screen (27). As the Examiner acknowledges, Jasinski is deficient in disclosing an arrangement of both hard keys and soft keys on a single keypad. What is taught by Hoeksma is that a touch screen input device may be used to display a set of keys having a first set of keys and when one of the displayed keys is selected, a new keypad replacing the old keypad is displayed with a corresponding set of keys which are related to the selected key in the first set of keys. What is not taught in Hoeksma is that each hard key has both a primary alphanumeric symbol and a set of secondary alphanumeric symbols. Hoeksma teaches a

set of primary symbols being displayed on a touch screen key and when activated, that same set of primary symbols being displayed as a new keypad, each of the primary symbols being associated with a key displayed on the keypad. Hoeksma therefore does not teach secondary symbols as described by Applicant.

This combination of Jasinski and Hoeksma fails to teach that a plurality of hard keys and a plurality of softkeys are on a single keypad and further that the actuation of a first hard key changes the soft key selections to correspond with a subset of selections of the hard key selected. Thus, a user selects a hard key and immediately selects a soft key from the row of softkeys provided. This configuration, structure, and process is very advantageous to a user in that the user does not have to move his fingers from the keypad and a user will know exactly where the softkeys will be located. In contrast, Hoeksma teaches that a user selects a first key and then must wait and see where the second key will be located. In Jasinski, a user must move their hand from the hard keys (17) to the membrane key set (41) and further must look to the display screen (27) to try and decipher which of the membrane keys should be pressed. Clearly this process is much more cumbersome than having a set of hard keys and a set of soft keys on a single keypad. Further, because Hoeksma teaches only the rearrangement of primary symbols and does not teach a set of primary symbols and secondary symbols on each key of the keypad, there is no suggestion or motivation to combine the references.

Therefore, Applicants respectfully submit that because of the failure to teach the single keypad having both soft keys and hard keys, the Examiner has not provided a *prima facie* case of obviousness because all of the limitations of claim 37 and its dependents are not taught or disclosed by any proper combination of the references. Further, because neither of the references addresses the ease of use for a single keypad having both soft keys and hard keys, there is no suggestion or motivation to combine the references to arrive at the subject matter recited in independent claim 37. Further still, because Hoeksma teaches only primary symbols on the keypad and not a combination of primary and secondary symbols, there is no suggestion or motivation to combine the references. Accordingly, Applicants respectfully request that the obviousness rejection be withdrawn and claims 37-45 be allowed.

CONCLUSION

In view of the above remarks, it is respectfully submitted that the foregoing is fully responsive to the outstanding Office Action. Early favorable consideration of the above application is earnestly solicited. In the event that a phone conference between the Examiner and the Applicant's undersigned attorney would help resolve any issues in the application, the Examiner is invited to contact said attorney at (651) 275-9833.

Respectfully Submitted,

Date: November 28, 2005

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